

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

OSVALDO GARCIA,

Case No. 2:18-cv-00774-JCM-NJK

Petitioner,

ORDER

v.

JERRY HOWELL,

Respondent.

Before the court is a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, submitted by Osvaldo Garcia (ECF No. 1-1). On October 18, 2018, the court issued a show-cause order directing Garcia, within 30 days, to file such proof as he may have to demonstrate that his petition was timely or that he is entitled to equitable tolling (ECF No. 6). More than the allotted time has passed, and Garcia has not responded to the court's order in any manner. Accordingly, this petition shall be dismissed.

IT IS THEREFORE ORDERED that the Clerk shall **DETACH** and **FILE** the petition (ECF No. 1-1).

IT IS FURTHER ORDERED that this habeas matter is **DISMISSED** for failure to respond to the show-cause order.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that Clerk shall enter judgment accordingly and close this case.

DATED: February 4, 2019.

James C. Mahan
JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE